

February 14, 2019

Lacey Holloman,
Assistant District Attorney
Midland County, Texas
500 N. Loraine Street, Suite 200

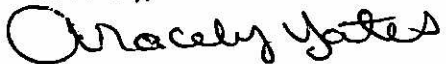
Dear Ms. Holloman,

Since I told you that I would play fair and provide you with everything we have, enclosed is a copy of part of the report I have submitted to the Criminal Section, Civil Rights Division of the US Department of Justice. I have filed a complaint, under the Color of Law for Intentional False Arrest, Unnecessary Use of Excessive Force during arrest, Intentional Fabrication of Evidence, Malicious Prosecution, and Conspiracy, and I have submitted support and proof for it all.

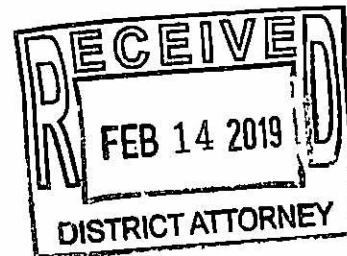
Please find enclosed a description of the complaint filed and some additional notes about the fabricated evidence from Sebastian's interrogation.

This information will further be used to bring public awareness to this serious problem.

Sincerely,



Aracely Yates



I. **INTENTIONAL FALSE ARREST** (February 16, 2018)

1. Please see the text messages with comments to see how police created the entire situation to make the arrest.
 - i. Officer Cody Allen
 - ii. Unknown what other officers were involved
2. If this was not done intentionally, then it is clear that this would be extreme incompetence, lack of training, etc.
3. They put out in the media that these men were all "targeting minors" and purposefully left out the fact that these men were targeted (by police) on adult sites in order to be able to make these arrests.
4. The spokesperson for TX DPS blatantly lied to the public, in the media, and acted like they were saving everyone's children in West Texas from these child predators.
5. Unknown if this was done for money purposes, undeserved public attention, political reasons, some other kind of cover up, any other reason, or a combination of some of these.

II. **USE OF UNECESSARY EXCESSIVE FORCE DURING ARREST** (February 16, 2018)

1. The proof of caused physical harm can be found in both, the interrogation and the polygraph, videos.
 - i. Sebastian's scraped knees (both) are visible.
 - ii. Officer Olvera asks Sebastian what happened to his knees. Sebastian states that they (the officers) were rough with him. (meaning during the arrest)
 - iii. In the polygraph video, you can see Sebastian pour water on his scrapes to clean them.
2. Both videos are proof of Sebastian's full cooperation.
 - i. A claim of resisting arrest would not be believable. That would be very inconsistent with all other evidence.
 - ii. Sebastian even shows confusion by asking if the police were looking for someone. He is very confused about why they took him down the way they did. He hasn't hurt anyone or done anything that would require this. He doesn't understand this at all.
3. Check officers' cameras, cameras on vehicles and body cameras, if used.
 - i. It would be no surprise to find out that none of the videos of this are available. They have reason to hide the evidence.

III. **INTENTIONAL FABRICATION OF EVIDENCE** (February 16-17, 2018)

1. The evidence here is overwhelming and cannot be denied or covered up.
2. Midland Police Department Officers Olvera and Jenny Alonzo are either extremely incompetent or very much did what they did on purpose. There is no other excuse for what was done.
 - i. Officer Olvera twisted statements to turn them into what they needed them to be, in order for them to get out of this what they wanted.
 - ii. Officer Olvera also, improperly, added words like "was getting excited" and "had to stop myself" or "talk myself out of it", etc. to create statements needed to support the case they needed and wanted. Please see the video for the proof of what was really said and how this officer changed it, to fit what the wanted.

- iii. Jenny Alonzo was present during most of this interview. A competent officer, with integrity, would have caught on to this and known that this is wrong. It is highly likely that she knew very well what this officer was doing on purpose, and she fully supported it.
- 3. The evidence against the TX DPS, unnamed officer, who conducted the polygraph test is the most overwhelming.
 - i. Very obviously used intimidation
 - ii. Worked at keeping Sebastian confused.
 - iii. Put words in Sebastian's mouth to make him say what he wanted him to say.
 - iv. Pretended to conduct a valid lie detector test.
 - v. Twisted things around that Sebastian said.
 - vi. Forced made up stories.
 - vii. Took it even further and changed one of the made-up stories to turn it into what they needed, to get what they wanted out of this.
- 4. Again, Officer Alonzo is a part of this.
 - i. She happily takes down the false, forced confession and has Sebastian sign it.

IV. **MALICIOUS PROSECUTION**

- 1. Lacey Holloman is also either extremely incompetent or malicious and also a part of this big cover up.
 - i. Lacey has the text messages that are proof that it was the officer that did the soliciting, not Sebastian.
 - 1. She also knows that police placed their ad on Craigslist (an adult site) under Casual Encounters, no strings attached.
 - ii. Also has the videos with the overwhelming proof of fabricated evidence.
 - iii. She's aware that there was excessive force used because there is proof in both videos, and both videos are also proof that Sebastian was fully cooperative.
 - iv. She has been given Sebastian's medical records and other information (including this outline) about things that were done very wrong with this case.
 - v. Intends on using a story she clearly knows was fabricated by police, to prosecute Sebastian. (Very obviously fabricated evidence)
 - vi. Intends to use Officer Olvera's twisted and false statements about what Sebastian supposedly said. (More fabricated evidence)
 - vii. Has worked to keep the video evidence covered up.
- 2. Laura Nodolf (Midland County District Attorney)
 - i. Responsible for providing the inaccurate information to the media.
 - ii. According to attorney, Tom Morgan, Laura wants Sebastian in prison and absolutely refused to consider probation as an option.

V. **CONSPIRACY**

Midland County Sheriff's Office

- Dishonesty
- Lied. Told Sebastian he could get a pre-trial bond for 1% of his bail.
 - After the amount for the pre-trial bond was paid, and after waiting for hours, they informed us that they did not do any bails for felonies on weekends, and since Monday was a holiday, we would have to wait until Tuesday.

- Tuesday we were informed that this type of crime did not qualify for a pre-trial bond. The over \$100 fee that was charged for just paying the \$1,500 pre-trial bond was not refunded.
- At least three people told Sebastian that he could get a pre-trial bond (police officer, jail staff, and even a judge)
- Lied. Told me that they did not accept cashier's check or wire transfer to pay a bond of a high amount.
 - Told me they only accepted cash, debit, or credit card. They expected me to bring them \$50,000 in cash.
- Lied. Gave me the wrong information for making out the cashier's check, after keeping me on the phone for a long time, continuously putting me on hold, going back and forth about whether they accepted cashier's checks or not, and refusing to allow me to talk to an administrator, even after several requests for this.
- Declined the first cashier's check I took them because it was made out wrong, due to the wrong information I had been given.
- Sebastian had cash stolen from him. Not all of his cash was turned into his inmate account.
 - Unknown if this was done by jail staff, Midland Police Department officers, or TX DPS officers.
 - Unknown of exact amount of cash that was taken.
 - Sebastian had not counted his smaller bills (\$20, \$10, \$5, \$1)
 - Only the \$100 bills were turned in.
 - This was reported to Midland Police Department in March 2018.

Unable to get police report for our own purposes and investigations.

Still finding out now, a year later, about false information reported by police.

Four different criminal defense attorneys and a private investigator who have worked against the case

Wayne Frost (Court Appointed Attorney, March 2018 – June 2018)

- Extremely unprofessional, unethical, no integrity
 - Very rude, evasive, unwilling to listen, no communication with Sebastian, failed to inform about plea bargain, lied in court, does not return calls, only scheduled one appointment with Sebastian in 4 months, lies immensely, present evidence that he treats other clients the same way, reported to State Bar for misconduct
 - Either extremely incompetent or straight up corrupt

Ed Shelby (2nd Court Appointed Attorney, June 2018 – July 2018)

- Very unprofessional, no integrity
 - Does not return calls, called Sebastian for the first time after Sebastian missed a court appearance that he was never made aware of, then he lied and said he had tried calling Sebastian
 - Phone records should prove that he lied
- Denied that it was Sebastian's right to have his mother present during their meetings.
- Told us that it was his own right (Ed's right), not Sebastian's right to make this decision. Sebastian had no choice in the matter.
- Admitted that Sebastian is not a predator and said incredibly ridiculous things like: It doesn't matter. Truth is relative. Sebastian can snap at any moment.
- Refused to call a witness expert we were interested in hiring to review Sebastian's videos (interrogation and polygraph)
- Told us that the expert witness could only be used for the punishment phase of the trial, but still refused to call him.
- Also told us that character witnesses can only be used for the punishment phase of the trial.

- Also, very incompetent or just a part of the corruption, as well.
 - Evidence indicates he was helping cover up.

Thomas S. Morgan (Hired attorney, 3rd attorney, July 2018 – January 2019)

- Incompetent, no integrity
 - Refused to talk to an attorney (whose information was fully provided to him) from a special program that focuses on helping people with mental disabilities caught in the criminal justice system, who would have offered free advice and help
 - Tom never contacted her and completely ignored that information
 - Took 4 to 5 months after being hired to even read the text messages himself.
 - Had Private Investigator, Nancy Piette, doing everything.
 - Took him that long to figure out that Sebastian, indeed, had not done the soliciting. The officer did.
 - Agreed to use entrapment as a defense, then took it back after 5 months and said the entrapment defense could not be used.
 - Never provided an alternative defense, even after consistently asked this question. He was evasive and would never answer the question.
 - Consistently told Sebastian that he had to accept guilt, in order to be able to use the entrapment defense.
 - Worked hard to try to discourage Sebastian from taking the stand, even though this is necessary with an entrapment defense.
 - Told us we could not disrespect police when I brought up things like the clear proof, we have of police fabricating evidence.
 - Told Sebastian that he had to be respectful and could not be disrespectful to the prosecutor when I made it clear to Sebastian not to agree with any lies the prosecutor would use and try to get him to agree with.
 - Insinuated that disagreeing with the prosecutor would be showing disrespect.
 - Strongly discouraged us from using the expert witness the court ordered to evaluate Sebastian, before even obtaining results of his assessment.
 - He had Sebastian's assessment results from a prior evaluation.
 - He knows very well that Sebastian is certainly not a child predator or even a predator at all.
 - This is more obvious evidence that he was not willing to use anything that would clearly help Sebastian's case.
 - Told us that expert witnesses and character witnesses can only be used in the punishment phase of the trial, not to help determine guilt or innocence.
 - Filed to withdraw as counsel
 - First attempt was unsuccessful
 - Succeeded with second attempt
 - Lied to judge by insinuating that the reason he did not want to use the lie detector video (which is clear evidence of police corruption), which he filed a motion to keep out of court, to hide, was because the officer said that Sebastian had not been truthful.
 - This is a blatant lie, because he knows very well that the only one lying in that video is that officer. It's very obvious. This was a very purposeful lie.
 - Was able to get away with it the second time, because he worked at making it look like I was the problem by accusing him of corruption.
 - If it looks like a duck and it walks like a duck, then it is a duck. He was very obviously helping with this big cover up, as well.

Alvaro Martinez (Fourth attorney, Court Appointed, January 2018 – Present)

- Also, either incompetent or part of the corruption, helping cover this up.
 - Claimed to have read the text messages and watched the videos.
 - Made it clear that this was NOT a case of entrapment.
 - Seems to be more interested now in reviewing everything again, after being provided with all of this information (in writing) and being informed of the complaint filed.
 - Stated that he saw nothing wrong done in the videos.
 - Is now interested in reviewing the interrogation video with Sebastian. He was not interested before.
 - Tries to use intimidation and is evasive
 - Not willing to listen, argues against just about everything brought up, then turns around and makes accusations of exactly that.
 - Avoids answering questions
 - Responds with smart alec remarks or acts like he doesn't understand a simple, straight forward question.
 - Had to keep repeating the same question, just to get an answer
 - Made it clear that we (Sebastian and I) were the problem here, since he is now Sebastian's fourth attorney.
 - Unwilling to listen to anything about what has happened or anything that helps Sebastian's case.
 - I had to provide everything in writing for him, to get through to him.
 - Also discouraged us from using the expert witness that was court ordered to evaluate Sebastian, and did not even have the results yet.
 - Pretty obvious evidence that he is not interested in using anything that might help Sebastian's case.
 - Unknown at this time if he is taking the complaint filed seriously or not.

Nancy Piette (Private Investigator hired to help Tom Morgan, July 2018 – October 2018)

- Also, either extremely incompetent or part of the corruption, helping cover this up.
 - She claims to have a master's degree in psychology and brags about how she's been doing this job for 30 years.
 - With that level and kind of education, along with all that experience, she has to have known very well what she was doing, and she very purposely worked against Sebastian's case.
 - We paid her to basically investigate us, to try to find things that could be used against us, to get us to give into accepting that Sebastian is guilty.
 - Why would she need my resume?
 - Why would she tell Sebastian to provide her with the names and phone numbers of his online friends to use as character witnesses, that she very well knew could not be used because they are out of state?
 - She lied to Sebastian and told him that his out of state friends could be used as character witnesses for his trial. Then after she talked to them, she took it back and said that they could not be used because they did not live here.
 - Why would she only contact people to interview as character witnesses that she knew very well would not be used for the trial?
 - She worked hard to keep the focus off of things that would clearly help Sebastian's case and made huge deals out of other things that had nothing to do with soliciting minors, like seeking the services of prostitutes.
 - She and Tom convinced us that this was a huge deal, and an expert witness would be needed for this.

- They completely ignored and worked hard to keep the focus off of the very obviously fabricated evidence.
- Nancy was caught in a huge lie.
 - She lied about the cost of this expert witness, she wanted us to use. We have this proof in writing, from the expert witness himself, and emails with Nancy are proof of her deceit.
- Nancy worked hard to convince us that Sebastian is guilty, and we should accept it.
 - She would consistently explode in anger when confronted with facts that proved her wrong. Then she would quickly move on to something else.
- She even used Dr. Fabian to try to convince me of things she was constantly telling me in very abusive ways, to get us to give into what they wanted.
 - They told me things like: I have no objectivity. I just want to be right. I am too proud. I am entitled. I don't really know or understand much. Etc. She even offered me a personality test, but then passed up on it when I agreed to take one.
- She did not contact anybody local who was on the list that Sebastian provided her with, for character witnesses.
- She refused to talk to Sebastian's roommates because they are gay and, according to her, everybody in Midland is very anti-gay. So, using gay people as character witnesses would only hurt his case.
- She said she would contact Sebastian's therapist, Rachel Zachery, but she never did.
- She only reached out to Rachel after she was no longer working for us, but she never followed through.
 - It is unknown why she would have reached out to Rachel, after she was no longer working for us.
- Nancy still seems to be involved in Sebastian's case, and it makes no sense at all. She stopped working for this case in October. However, she has been in contact with the doctor who did Sebastian's evaluation in December, and she's also been in contact with the current attorney. For some reason, she is the one that dealt with the doctor and provided all the information to him, instead of Tom Morgan.
 - This is exactly why I provided the doctor with the 2 videos. I knew she had not.
 - Why is Nancy still involved with this case? She, for sure, cannot be trusted.

NOTES ABOUT THE INTERVIEW VIDEO

"I just had an urge, and I thought this girl was my one and only chance, because I've been on Craigslist for a while. I've been lonely. I've been single, since like for as long as I can remember. But after I got myself under control, I thought maybe I should do something about this before it turns into something big. It turned into something, but I wanted to talk to this girl, but I figured, that this girl was somebody that I thought was having trouble. I thought maybe I could be somebody that could help her. Steer her in the right direction, once I got my thoughts under control, because I realized what I was doing was wrong, but I thought since I've already got myself into this mess, maybe I can clear the problem."

NOTES: In the first sentence, Sebastian is talking about having an urge to have sex, a very normal thing for young men. There is absolutely nothing abnormal about that. This is something that has obviously been twisted.

He thought that this girl was his only chance because she basically threw herself at him at a very vulnerable time, when he was looking for sex (for his normal urge). This is why he was on Craigslist, to begin with. He was looking for someone who was looking for the same thing as him. She was the only one who responded who seemed real to him.

He makes it clear that he's been lonely and single for a long time. This is because he does NOT hit on girls or anyone. He doesn't have sex. He wanted to have sex. There is absolutely nothing abnormal about that. It's a basic human need and desire. Everybody knows that! Check his medical records to learn more about why he's not a typical young man who hits on females.

He states that he got himself under control. He later clarifies that his thoughts were clearer after he masturbated in the shower, which he does on a daily basis. Sebastian never stated that he got so excited about this that he masturbated. This statement on the police report is another twisted statement from the police.

He then states that once he got himself under control (no longer felt the urge for sex that he was feeling before, which, again, is very NORMAL) he thought he could do something about this before it turned into something big. He clarifies this later, when the officer tries to twist it into something else. He states that he wanted to warn her about being on Craigslist because something bad could happen to her. He later backs this up with his story about what happened to his good friend from high school (Haley Kemp).

He wanted to talk to her and help her. I realize this is something that is very difficult for some people to believe, because some people really just don't understand the concept of people wanting to do good for others. We all assume that everybody else is just like us. People who don't care to help others just can't believe that this is real, because they cannot relate to it. Wanting to help others is just not a normal thing for them. [Major bias problem here] It is real. He was wanting to help her.

In the last sentence of that, he says he thought maybe he could clear the problem up since he had already gotten himself into that mess. He had already allowed this person to talk him into having sex with a minor. He was no longer feeling that urge for sex, since he took care of it himself. He was not going to just leave this girl hanging. She would have only moved on to the next person she would've found on Craigslist, and she was clearly looking to hook up with someone.

"Are you looking for someone right now?" This shows his confusion and naivety. This is very inconsistent with being a predator.

Officer: "Earlier you were talking about a... You said you wanted to meet this girl before something took over. What were you talking about?"

Sebastian: I wanted to meet her. Tell her that I'm sorry that I lied to her for saying all those things, because I wasn't thinking straight. And I wanted to tell her that, "You need to get off of Craigslist and avoid this life—avoid this path before something bad happens."

NOTE: The officer clearly did not understand what Sebastian was trying to say and even twisted this into what he wanted it to be. [Major bias going on here] Sebastian never said anything about anything taking over.

Officer: "So, initially you were thinking you wanted sex with her, and then you got your thoughts together and then you just wanted to warn her or...."

Sebastian: Yes

NOTE: He was looking for sex to begin with to fulfill his natural and normal urge. He was looking for someone who was looking for the same thing as him. This person offered sex to him. He makes it clear that he knew this was wrong and clearly shows that he was feeling bad about having fallen for this. He very clearly did not solicit this person for sex. The officer did the soliciting.

Officer: "So, what made you change your mind about you wanting to have sex with her and then not wanting to have sex with her."

Sebastian: "Ultimately, I couldn't see what was right and what was wrong at the time, because being single for so long just messed with my mind. And then I was just getting desperate and I was like I just gotta have this. I just gotta have this. Even though I know it's wrong. Even though I know that this is looked down upon. Even though I thought maybe I could just get away with it, you know. I'm not hurting anybody."

NOTE: Here, again, he explains that he was not thinking clearly because of his natural desire for sex. Here he had found someone who was looking for the same thing, even though she was supposedly a minor. Cody Allen really played with his mind and his vulnerability. He really made Sebastian want this by pushing for it. His male thoughts and desire for sex took over. He admits that he knew it was wrong, but he did not see this as hurting anyone because, clearly, this person was looking for this as well. This really shows his immaturity and young thinking. Again, please refer back to his medical records to understand this. He did not prey on this pretend minor. It was the other way around.

Officer: When did you decide, "Hey maybe this is wrong"?

Sebastian: It was after I showered.

Officer: Okay. What made you decide?

NOTE: You can see Sebastian hesitate here because the truth is that the main thing that made him change his mind about wanting to have sex with her is that he took care of his own normal urge for sex by masturbating in the shower, like he does every day. He's too embarrassed to say it. So, he

hesitates. He then just skips over to tell the story about what happened to his friend Haley, which is actually why he wanted to help this girl (keep her from moving on to others she would meet on Craigslist).

"I felt like she was egging me on, and then I just started to initiate."

NOTE: The officer very clearly pushes for sex talk. Sebastian did not even realize at the time how hard this officer was pushing for sex and sex talk. He finally caught on to clues the officer was dropping, which is clearly proven by the text messages. This is why he says that he felt she was egging him on. He was right, the officer was egging him on, and he worked very hard at it. Sebastian did not pick up on the initial clues and even some of the other clues later. Cody Allen was very much pushing for sex.

Sebastian states that he initiated the sex talk because he was the one to say the word sex and talked about it in detail. He doesn't even realize that it was the officer who initiated it.

Officer: "So, was a part of you excited, though, when you were driving over there trying to [UI]?"

Sebastian: Not when I was driving up. It was before the shower. Because, uh... I'll be honest, I let one loose after that. That's when all my thoughts got clearer. It's after you let loose. It's always after you let loose. It happens to me every day.

Officer: You let loose, like what do you mean? Like you rubbed one out?

Sebastian: Yeah. That's what I try to do whenever I—to get my thoughts together. It always works. It always works.

NOTE: This is consistent with what he has already said. Here he finally admits that he masturbated and that is what made him change his mind about wanting to have sex with her. He no longer had that natural urge for sex. He clarifies that his thoughts got clearer. This is what he is talking about earlier when he says "after I got myself under control." He then clarifies that after he masturbates, he can think more clearly, which is a very normal thing. He no longer feels that normal urge for sex. His mind is no longer focused on sex. He can think more clearly about everything else now, now that he's taken care of that.

Officer: Because earlier, and I wish I could remember exactly what you said. I don't know if you remember. You were saying something like, "I was getting excited and [UI], but I had to, had to do it—talk myself out of it before something happened."

Sebastian: Yes

Officer: Like, uh, what do you mean?

NOTE: [Bias going on here again] Sebastian is talking about his natural urge to want to have sex. Sebastian never said anything about getting excited and having to talk himself out of it before something happens. This, again, is something else the officer twists around due to his own bias. When Sebastian talks about something big happening, he is talking about something really bad happening to the girl because she is advertising herself on Craigslist to adult men who are looking for sex.

The officer is putting in Sebastian's head that it's abnormal to want to have sex.

Officer: And the only reason I'm asking about these thoughts that you're having and everything— Because earlier... And I wish I could remember exactly what you said. I don't know if you remember, but you were saying something like... like, "I was getting excited and [UI] but I had to, had to do it—talk myself out of it before something happened."

NOTE: Sebastian never said that. This is the officer's own bias.

Sebastian misunderstands and responds yes to this. The officer asks Sebastian what he means by this.

Sebastian: Like, uhm, it was lust controlling me. It was desperation, and it was that feeling that was clouding my thoughts. But I know, because I have these thoughts once at a time, but I know if I...

Officer: Okay, what, what kind of thoughts?

Sebastian: Uhm, just lust in general, like I see a woman, "Why not? Let's do it."

"Just general, guy thoughts."

Fantasy described: "Romantic night. Go to dinner. Hang out. Talk. A friendship, a bond, then sex. I don't know."

Clearly denies any fantasy that involves violence, something the officer has kept pushing for.

NOTE: Again, this clearly shows the officer's bias and Sebastian's lack of understanding. Sebastian is talking about his natural and very normal desire to have sex. The officer has him convinced that there is something wrong with this.

CONCLUSION: This is why police officers who have no experience or training in dealing with child predators or predators, in general, should not be carrying out assignments like this. They clearly are very clueless about what they are doing. This is very reckless and irresponsible.

I hope nothing like this ever happens to either one of your sons. Only then, would you really understand. My sons did not have their father around to teach them about all this stuff. I know this may all sound unbelievable to you, but this is the real truth. What has been done here is extremely reckless and irresponsible. There is no way we are just going to let this go.

Just because you don't get it doesn't mean that nobody else does either. You need to use these videos to show the proof of what really happened, what was really said, and how it was said. You are not serving Sebastian's best interest, like you should be, by allowing them to use lies to convict him.